

EXHIBIT 4

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9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**
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12
13 TODD SCHUENEMAN, on behalf of
14 himself and all others similarly
situated,

15 Plaintiff,

16 v.

17 ARENA PHARMACEUTICALS,
INC., et al.,

18 Defendants.
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Case No. 3:10-cv-01959-CAB (BLM)
(consolidated)

**DECLARATION OF PETER K.
STRIS IN SUPPORT OF LEAD
COUNSEL'S MOTION FOR
AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF
EXPENSES**

1 I, Peter K. Stris, declare as follows:

2 1. I am an attorney in good standing in the State of California. I submit this
3 declaration in support of Lead Counsel's application for an award of attorney's fees
4 and reimbursement of expenses for services rendered on behalf of the Settlement
5 Class in the above-captioned consolidated action ("Action"). All of the facts stated
6 herein are true and correct within my personal knowledge and if called as a witness I
7 could and would testify competently to the facts stated herein.

8 2. I am a co-founding partner of Stris & Maher LLP, a boutique law firm
9 that specializes in resolving high-stakes and high-profile commercial disputes.

10 3. My firm and I were retained to handle the Ninth Circuit appeal of this
11 matter after it was dismissed. I presented oral argument. The opening and reply briefs
12 were largely prepared by me and my partner, Dana Berkowitz.

13 a. In 2000, I received my J.D. from Harvard Law School where I
14 served as an editor of the Harvard Law Review. I am admitted to practice law in the
15 states of California and New York. I am also admitted to practice before the United
16 States Supreme Court, all thirteen federal courts of appeals, and several federal
17 district courts including this Court.

18 b. Ms. Berkowitz received her J.D. with honors from Harvard Law
19 School in 2011. She graduated from Princeton University in 2007, where she received
20 the Shapiro Prize for Academic Excellence and was inducted into the Phi Beta Kappa
21 Society. She is an active member of good standing of the bars of the States of New
22 York and California. She is also currently admitted to practice before the United
23 States Supreme Court, six of the thirteen federal courts of appeal, and several district
24 courts in New York and California. Before joining our firm, she practiced at Cleary
25 Gottlieb Steen & Hamilton LLP in New York, where she defended major financial
26 institutions and their employees in high-stakes securities class actions.

27 4. My firm and I litigate significant business cases before the federal
28 appellate courts throughout the country. For example, I have argued seven cases

1 before the U.S. Supreme Court. My recent Supreme Court arguments have involved
 2 both the federal securities laws and class action procedure. *See Merrill Lynch, Pierce,*
 3 *Fenner & Smith Inc. v. Manning*, 136 S. Ct. 1562 (2016) (favorable 8-0 decision
 4 regarding exclusive jurisdiction under the Securities Exchange Act; argued by me on
 5 December 1, 2015); *Microsoft Corp. v. Baker*, 137 S. Ct. 1702 (2017) (adverse 8-0
 6 decision regarding the appealability of class certification denial after voluntary
 7 dismissal with conditional prejudice; argued by me on March 21, 2017).

8 5. My firm and I also litigate significant business cases before federal
 9 district courts throughout the country. Some recent class action examples include
 10 *Dennard v. Transamerica*, No. 15-cv-0030 (N.D. Iowa 2017) (obtained, with co-
 11 counsel, \$3.8m settlement); *Hendricks v. UBS Fin. Servs.*, No. 13-40692, 546 Fed.
 12 Appx. 514 (2013) (consolidated with *Eddingston v. UBS Fin. Servs.*, No. 13-40693)
 13 (appointed co-lead counsel in a certified \$200+ million class action after defeating
 14 motions to compel arbitration) (arbitration determination subsequently reversed by
 15 the Fifth Circuit); and *Allen v. Honeywell*, No. 04-cv-0424 (D. Az. 2012) (obtained,
 16 with co-counsel, settlement of \$23.8m in a long-running class action dispute).

17 6. From July 23, 2014 to January 18, 2017, my firm and I served as lead
 18 appellate counsel in the Action. All of the work we performed was reasonable and
 19 necessary to the prosecution of this litigation. The following table accurately sets
 20 forth the total hours devoted by me and other attorneys at our firm to this litigation.

Attorney	Title	Hours	Rate	Lodestar
Peter K. Stris	Founding Partner	218.3	\$750	\$163,725
Dana Berkowitz	Partner	560.0	\$550	\$308,000
Victor O'Connell	Senior Associate	186.6	\$450	\$83,970
Total:		964.9		\$555,695

1 7. Through January 18, 2017, my firm expended a total of \$326.92 in
2 unreimbursed lodging expenses in connection with the prosecution of this litigation.
3 These expenses were actually and necessarily incurred in this case, and are reflected
4 in the books and records of our firm maintained in the ordinary course of business.

5 8. My firm's compensation for services rendered in this case was wholly
6 contingent on the success of the Action, and was totally at risk.

7 I declare under penalty of perjury that the foregoing is true and correct.
8 Executed this 5th day of March, 2018, in Los Angeles, California.

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12 Peter K. Stris
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